

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA and  
STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORP. et al.,

Defendant.

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ORDER ON CITY OF APPLETON AND NEENAH MENASHA  
SEWERAGE COMMISSION TRIAL PARTICIPATION

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The trial ("Trial") scheduled to begin on December 3, 2012, does not involve the liability or rights of the City of Appleton ("COA") or the Neenah Menasha Sewerage Commission ("NMSC"). Therefore, in the interest of efficient use of the Court's and the parties' time and the timely completion of the Trial, and upon the stipulation of the parties; IT IS ORDERED:

1. Evidence and arguments presented at the Trial shall not have a preclusive effect against COA or NMSC as to any issue or fact in any future proceeding or trial.
2. COA and NMSC shall have a full opportunity to respond to any evidence or issue in any future trial or proceeding in which the liability or rights of COA or NMSC is at issue.
3. Neither NMSC nor COA shall object to any testimony or other evidence at the Trial.

All objections that COA or NMSC might otherwise make are reserved and not waived.

4. COA and NMSC shall not cross examine witnesses or present evidence at the Trial.

**SO ORDERED** this 29th day of November, 2012.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge